

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA                    )  
  )  
          v.                                    ) Criminal No. 02-67-003  
  )  
RUSSELL BEYSCHAU                            )

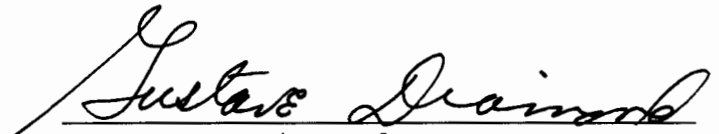
MEMORANDUM ORDER

AND NOW, this 25<sup>th</sup> day of October, 2005, pursuant to the probation violation hearing held on October 25, 2005, whereat defendant acknowledged on the record personally and through counsel that, prior to the expiration of his term of probation, he violated the conditions of his probation by leaving the jurisdiction without permission from his probation officer and also by twice testing positive for controlled substances in February of 2005, the court finds by a preponderance of the evidence that defendant did violate the foregoing conditions of his probation as described more fully in the petition on probation; and

The court further finds that the government's evidence and the defendant's admissions establish Grade C violations of the terms of probation within the meaning of U.S.S.G. §7B1.1(a);

ACCORDINGLY, IT IS ORDERED that defendant's term of probation be, and the same hereby is, revoked pursuant to 18 U.S.C. §3565(a)(2) and defendant is sentenced to the custody of the

United States Bureau of Prisons for a term of imprisonment consisting of time served between his arrest on August 16, 2005, and the time of the probation violation hearing held on October 25, 2005, with no term of supervision to follow; no fine, no costs.

A handwritten signature in cursive script, reading "Gustave Diamond", written over a horizontal line.

Gustave Diamond  
United States District Judge

cc: Tina O. Miller  
Assistant U.S. Attorney

Michael J. Novara  
Assistant Fed.Pub. Defender

Michael DiBiasi  
U.S. Probation Officer

United States Marshal  
Western District of Pennsylvania